

DhsComplaintDocument	2011-04-19 10:22	Create	Document 1.	DHS CRCL letter to Rep Kildee re (b)(6) 4-18-2011_(11-06-ICE-0194).pdf	83439	(b)(6)	User Change
DhsComplaintDocument	2011-04-19 10:22	Create	Dateentered	04/19/2011.	83439	(b)(6)	User Change
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DhsComplaintDocument	2011-04-19 10:22	Create	Comments	4/19/2011 acknowledgement letter sent by Front Office. (controlled correspondence, ESEC Workflow # 900643) to Rep. Kildee, with cc to (b)(6)	83439	(b)(6)	User Change
DhsComplaintDocument	2011-04-08 09:43	Create	Document 1	3 31 2011 (b)(6) Exec Sec (Source Congressional Kildee).pdf	83308	(b)(6)	User Change
DhsComplaintDocument	2011-04-08 09:43	Create	Document 4.	4 7 2011 (b)(6) exec sec tasker.pdf	83308	(b)(6)	User Change
DhsComplaintDocument	2011-04-08 09:43	Create	Dateentered	04/08/2011.	83308	(b)(6)	User Change
DhsComplaintDocument	2011-04-08 09:43	Create	Foreign Language	No	83308	(b)(6)	User Change
DhsComplaintDocument	2011-04-08 09:43	Create	Document 3.	3 24 2011 (b)(6) pdf	83308	(b)(6)	User Change
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DhsComplaintDocument	2011-04-08 09:43	Create	Document Type	Incoming Letter	83308	(b)(6)	User Change
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DhsComplaintIssue	2011-10-20 14:11	Update	Situation	DHS law enforcement activity	12742	(b)(6)	User Change
DhsComplaintIssue	2011-04-08 09:53	Create	Ongoing	No	12742	(b)(6)	User Change
DhsComplaintIssue	2011-04-08	Create	City	Millington	12742	(b)(6)	User

	09:53					(b)(6)	Change
DhsComplaintIssue	2011-04-08 09:53	Create	Incident Date	03/24/2011	12742		User Change
DhsComplaintIssue	2011-04-08 09:53	Create	State	Michigan - MI	12742		User Change
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DhsComplaintPartiesInvolved	2011-04-08 09:46	Create	Last Name	(b)(6)	21338		User Change
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DhsComplaintPartiesInvolved	2011-04-08 09:46	Create	State	Michigan - MI	21338		User Change
	2011-						

DhsComplaintPartiesInvolved	04-08 09:46	Create	First Name	(b)(6)	21338	(b)(6)	User Change
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DhsComplaintPartiesInvolved	2011- 04-08 09:47	Create	Email	(b)(6)	21339		User Change
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DhsComplaintPartiesInvolved	2011- 04-08 09:47	Create	Contact Type	On Behalf Of	21339		User Change

DhsComplaintPartiesInvolved	2011-04-08 09:50	Create	Prefix	Other	21340	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-04-08 09:50	Create	Zip Code	48708	21340	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-04-08 09:50	Create	Other Prefix	Congressman	21340	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-04-08 09:50	Create	Address Line 1	916 Washington Avenue, Suite 205	21340	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-04-08 09:50	Create	Other Organization	US House of Representatives	21340	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-04-08 09:50	Create	Last Name	Kildee	21340	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-04-08 09:50	Create	Middle Name	E.	21340	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-04-08 09:50	Create	State	Michigan - MI	21340	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-04-08 09:50	Create	First Name	Dale	21340	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-04-08 09:50	Create	Organization	Other	21340	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-04-08 09:50	Create	City	Bay City	21340	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-04-08 09:50	Create	Contact Type	Sender	21340	(b)(6)	User Change
DhsComplaintPartiesInvolved	2011-04-08 09:51	Create	Last Name	Exec Sec	21341	(b)(6)	User Change
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DhsComplaintPartiesInvolved	2011-04-08 09:52	Create	Zip Code	48226	21342		User Change
DhsComplaintPartiesInvolved	2011-04-08 09:52	Create	Email	(b)(6),(b)(7)(C)@dhs.gov	21342		User Change
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DhsComplaintPartiesInvolved	2011-04-08 09:52	Create	Middle Name	T.	21342		User Change
DhsComplaintPartiesInvolved	2011-04-08 09:52	Create	State	Michigan - MI	21342		User Change
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DhsComplaintPartiesInvolved	2011-04-08 09:52	Create	Contact Type	Source	21342		User Change

From: (b)(6)
To:
Cc:
Subject: FW: CRCL Complaint Number 11-08-ICE-0248 (Additional info needed)
Date: Tuesday, July 05, 2011 11:47:15 AM
Attachments: [5 18 2011 \(b\)\(6\) df](#)

Office of Inspector General

U.S. Department of Homeland Security



**Homeland
Security**

The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

From: (b)(6)@dhs.gov]
Sent: Wednesday, June 29, 2011 11:16 AM
To: (b)(6)
Cc:
Subject: RE: CRCL Complaint Number 11-08-ICE-0248 (Additional info needed)

(b)(6)

Attached is the mail correspondence

Thanks

(b)(6)

From: (b)(6)@dhs.gov].
Sent: Tuesday, June 28, 2011 11:48 AM
To: (b)(6)
Cc:
Subject: RE: CRCL Complaint Number 11-08-ICE-0248 (Additional info needed)

(b)(6)

What is the address, city and state where the warrant was executed? Can you also forward the mail correspondence?

Thanks,

(b)(6)

Investigator
Department of Homeland Security
Office of Inspector General
Office of Investigations
202-(b)(6)

From: (b)(6)@dhs.gov]
Sent: Friday, June 24, 2011 10:22 AM
To: (b)(6)
Cc: (b)(6)
Subject: CRCL Complaint Number 11-08-ICE-0248

(b)(6)

Summary of new complaint for your review:

On May 18, 2011, CRCL received standard mail correspondence from (b)(6) alleging unnecessary use of force on her property and her tenants by ICE agents while serving a warrant on April 26, 2011. Ms. (b)(6) included letters from each of her tenants and the photos of damage and physical harm. The letters from Ms. (b)(6) and her tenants allege that the ICE agents pointed their guns at tenants, forced them to the ground and handcuffed them tightly enough to cause bruises and punched one in the head, and damaged the property. This complaint was also made on behalf of her tenants (b)(6)

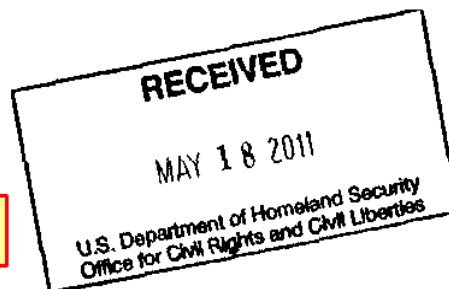
(b)(6)

(b)(6)

Thank you.

(b)(6)

Office for Civil Rights & Civil Liberties
Department of Homeland Security
(202) 357-(b)(6) (phone)
(b)(6)@dhs.gov



(b)(6)

Davis, CA 95617

(b)(6)

To Whom It May Concern,

This document and the included attachments constitute a formal complaint regarding the manner in which Department of Homeland Security/Immigration and Customs Enforcement (ICE) agents executed a Search and Seizure Warrant at (b)(6) Davis, CA 95616, on Tuesday morning April 26, 2011. I own the property involved, and own and live in the house next door at (b)(6). I understand the agents had a legal right to search the property named on the warrant. In the absence of information proving otherwise I will assume Judge Edmund F. Brennan was provided sufficient evidence to justify his signing the warrant. While not a legal scholar, I understand the warrant in question as giving ICE agents the right to enter the house at (b)(6) to search for objects depicting child pornography and electronic devices, including computers, that may have been used to transmit images of child pornography. No individual people were named on the warrant.

Abused as a child, I have personal reasons for considering any form of child abuse abhorrent. Those involved in the production of, and trafficking in, child pornography should, in my opinion, be prosecuted and if convicted sentenced to the longest prison terms the law allows.

I think the ICE agents used excessive force while executing this warrant. They announced their presence in a manner that terrified those residents who could hear them yelling and banging on the door but who were unable to understand what was being said and by whom. Some of the residents thought they were robbers or perhaps terrorists. Agents entered the house with guns drawn with neither the consent of the residents nor any cognizance on their part that the people invading their home were federal agents serving a search warrant. With a seemingly callous disregard for the physical and psychological safety of innocent, frightened people, agents at gun point forcibly detained and handcuffed unresisting persons several of whom did not understand they were police agents. One resident was hit repeatedly across the back of his head, after he was lying face down on the floor with his hands behind him. This even after being told by another resident that he and several of the other occupants were not fluent in English. One person was told the warrant existed and one other was shown the warrant and read his rights, after most of the searching had been conducted. Both of these people are fluent in English and recognized quickly that the people breaking into their house were police, or at least looked to be police. Damage to and destruction of doors, and the floor in one room seemed more calculated to frighten people than to obtain entry to rooms as well as suggesting a total disregard for property. Minimal communication between agents, and between agents and residents would surely have resulted in less trauma to people and minimized damage to property.

Upon talking with an agent, outside of the house after identifying myself and being shown the warrant, I was led to believe they were looking for a computer and other information that may or may not have once been in the house, may or may not still have been in the house, and that was allegedly involved in the transmission of and/or used to visit a site involved in child pornography in March of last year.

I fail to understand why, for an alleged incident more than a year old it was deemed necessary to announce their presence at a time and in a manner calculated to waken sleeping people and frighten them, to point guns at them and handcuff them. The search warrant was valid until May 9th allowing ample time to determine who currently lives in the house.

It may be that under the Patriot Act such actions by ICE agents are considered legal. In my opinion, these ICE agents did not serve this warrant in a professional manner nor are their actions justifiable from any ethical or moral standpoint this country purports to stand for. It is fortunate that the injuries sustained by the residents were not more severe. Someone could easily have been killed. None of us involved feel safer after our encounter with Homeland Security.

Sincerely,

(b)(6)

Attachments: (One page each unless otherwise stated)

Copy of Search and Seizure Warrant 2: 11 - SW - 0161 EFB

Inventory of the property taken belonging to (b)(6)

Attachment B: Items to be Seized (4 pages)

Copy of business card of Supervisory Special Agent (b)(6),(b)(7)(C) Dept. of Homeland Security

Statements of Residents of (b)(6) with brief explanation of their status.

(These statements were submitted to me voluntarily and with the full understanding that they were to be included in this complaint. I have not altered the statements in any way other than to put names and page numbers in the upper right hand corner of each.)

Statement of (b)(6) UCD English as a Second Language Program student, Chilean National, Resident (b)(6)

Statement of (b)(6) - Third year UCD student, American Citizen, Resident (b)(6)

Statement of (b)(6) (2 pages) - First year Sacramento City College student, American Citizen, Resident (b)(6)
Grandson of (b)(6)

Statement of (b)(6) Vietnamese Visiting Scholar at UCD, Resident (b)(6)

Statement of (b)(6) - Vietnamese Visiting Scholar at UCD, Resident (b)(6)

Statement of (b)(6) (8 pages) - Custodian, Resident (b)(6)

Statement of (b)(6) Vietnamese Visiting Scholar at UCD, Resident (b)(6)

Statement of (b)(6) - Fourth year UCD student, American Citizen, Resident (b)(6)

Statement of (b)(6) - Third year UCD student, American Citizen, Resident (b)(6)

Statement of (b)(6) (2 pages) - Retired Veterinarian, American Citizen, Resident (b)(6)
(b)(6) Owner (b)(6)

Concerns, questions, and comments from (b)(6)

Pictures of damage to door between Ms. (b)(6) bedroom and back hall. (4)

Pictures of damage to floor in Ms. (b)(6) bedroom. (2)

Picture of damage to door to Dr. (b)(6) bedroom

Picture of Dr. (b)(6) injured hand

Bill for repairs completed

Estimate for additional repairs needed

List of Agencies and Persons receiving copies of complaint

UNITED STATES DISTRICT COURT

for the
Eastern District of CaliforniaIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)(b)(6)
Davis, California 95616

Case No.

SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

(b)(6)

An application by a federal law enforcement officer or an attorney for the government requests the search
of the following person or property located in the EASTERN District of CALIFORNIA

(Identify the person or describe the property to be searched and give its location):

SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the
property to be seized):

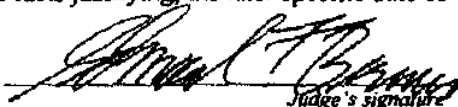
SEE ATTACHMENT B, ATTACHED HERETO AND INCORPORATED BY REFERENCE

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or
property.

YOU ARE COMMANDED to execute this warrant on or before

5-9-2011
(not to exceed 14 days)☐ in the daytime 6:00 a.m. to 10 p.m. ☐ at any time in the day or night as I find reasonable cause has been
established.Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property
taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the
place where the property was taken.The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an
inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge

(name)

☐ I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay
of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be
searched or seized (check the appropriate box) ☐ for _____ days (not to exceed 30).☐ Until, the facts justifying, the later specific date of _____Date and time issued: 4-25-2011
9:10:00 AM
Judge's signatureCity and state: SACRAMENTO, CALIFORNIAEDMUND F. BRENNAN, U.S. MAGISTRATE JUDGE
Printed name and title

Return

Case No.:

Date and time warrant executed:

9/26/11 0630

Copy of warrant and inventory left with:

(b)(6)

Inventory made in the presence of:

Inventory of the property taken and name of any person(s) seized:

- ① MISC DOCUMENTS
- ② MISC PHOTOGRAPHS
- ③ MISC MEDIA
- ④ CUSTOM CASE COMPUTER
- ⑤ LARGE TOWER COMPUTER
- ⑥ DELL COMPUTER (SERVICE TAG # (b)(6))
- ⑦ NETGEAR WIRELESS ROUTER S/N (b)(6)

Certification

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: _____

Executing officer's signature_____
Printed name and title

Subscribed, sworn to, and returned before me this date.

Signature of Judge_____
Date

ATTACHMENT B

ITEMS TO BE SEIZED

The following items, records and information are to be seized wherever they may be stored or found on the property and in any form that they may be stored or found on the property:

- a. Any images of child pornography and files containing images of child pornography in any form;
- b. Any items, information or records which reference Liberalmorality.com or any users of Liberalmorality.com;
- c. Any items, information, records or images related to or used to visually depict child pornography or child erotica;
- d. Any items, information, or records which contain information pertaining to any individual's interest in child pornography or erotica;
- e. Any items, information, or records related to the distribution, receipt or possession of child pornography or used to distribute, receive, or possess child pornography;
- f. Books and magazines containing visual depictions of minors engaged in sexually explicit conduct, as defined in 18 U.S.C. § 2256;
- g. Originals, copies, and negatives of visual depictions of minors engaged in sexually explicit conduct, as defined in 18 U.S.C. § 2256;
- h. Motion pictures, films, videos, and other recordings of visual depictions of minors engaged in sexually explicit conduct, as defined in 18 U.S.C. § 2256;

- i. Information, electronic records, or correspondence pertaining to the possession, receipt, or distribution of visual depictions of minors engaged in sexually explicit conduct, as defined in 18 U.S.C. § 2256, that were transmitted or received using computer, some other facility or means of interstate or foreign commerce, common carrier, or the U.S. mail including, but not limited to:
- (1) envelopes, letters, and other correspondence including, but not limited to electronic mail, chat logs, and electronic or other instant messages, establishing possession, access to, or transmission through interstate or foreign commerce, including by United States mail or by computer, of visual depictions of minors engaged in sexually explicit conduct, as defined in 18 U.S.C. § 2256; and
 - (2) books, ledgers, and records bearing on the production, reproduction, receipt, shipment, orders, requests, trades, purchases, or transactions of any kind involving the transmission through interstate or foreign commerce including by United States mail or by computer of any visual depiction of minors engaged in sexually explicit conduct, as defined in 18 U.S.C. § 2256;
 - (3) credit card information including but not limited to bills and payment records;
 - (4) records evidencing occupancy or ownership of the premises described above, including, but not limited to, utility and telephone bills, mail envelopes, or addressed correspondence; and

(5) records or other items that indicate ownership or use of computer equipment found in the above residence, including, but not limited to, sales receipts, bills for Internet access, and handwritten notes and

(6) records, electronic or otherwise, or other items that relate to Liberalmorality.com, and Liberalmorality.com accounts and usernames, or any other groups that exhibit a sexual interest in children.

j. For any computer hard drive or other electronic media (hereinafter, "COMPUTER") found to contain information otherwise called for by this warrant:

(1) evidence of who used, owned, or controlled the COMPUTER at the time the items described in this warrant were created, edited, viewed, uploaded, downloaded, or deleted, such as logs, registry entries, internet history, saved usernames and passwords, documents, and browsing history, to include bookmarked sites;

(2) evidence of software that would allow others to control the COMPUTER, such as viruses, Trojan horses, and other forms of malicious software;

(3) evidence of the lack of such malicious software;

(4) evidence of the attachment to the COMPUTER of other storage devices, disks, CD-ROMS, or similar containers for electronic evidence;

(5) evidence of the times the COMPUTER was used and its users;

(6) passwords, encryption keys, and other access devices that may be necessary to access the COMPUTER;

- (7) evidence identifying the location from which images of child pornography were downloaded, including date and time of such downloads;
- (8) evidence identifying whether image and/or video files containing child pornography were ever viewed, to include date and time of such viewing;
- (9) evidence identifying whether images and/or videos files were deleted to include date and time of deletion;
- (10) evidence relevant to the creation dates of all visual depictions of minors engaged in sexually explicit conduct, to include evidence derived from metadata obtained from child pornographic videos and images;
- (11) documentation and manuals that may be necessary to access the COMPUTER or to conduct a forensic examination of the COMPUTER;
- (12) contextual information necessary to understand the evidence described in this attachment.

As used above, the terms "items", "images", "records" and "information" include all of the foregoing items of evidence in whatever form and by whatever means they may have been created or stored, including any form of computer or electronic storage (such as hard disks or other media that can store data); any handmade form (such as writing, drawing, painting); any mechanical form (such as printing or typing); and any photographic form (such as microfilm, microfiche, prints, slides, negatives, videotapes, motion pictures, or photocopies).

(b)(6),(b)(7)(C)

Supervisory Special Agent

DHS | Homeland Security Investigations

650 Capitol Mall (b)(6),(b)(7)

Sacramento, CA 95814

(b)(6),(b)(7)(C)



Homeland
Security

Early in the morning, around 620, I started to hear some very loud yells from outside of the house, which were followed by strong knocks in the principal door. I didn't understand anything about what they were saying outside. I got up quickly and ran to open the principal door. When I opened it, a policeman pushed me against the wall while he was handling a gun, he pointed me and made me turn around and put my hands in my back. While about 12 policemen got into the house and started to evict people in the others rooms, with the same procedure, yelling and knocking really hard the doors in a very impolite way. Even they forced one empty room door.

We were left, all of us handcuffed, in the living room, excepting (b)(6) I don't know if I spelled right the name) that was in the back yard. Both Vietnamese women, one of them pregnant, asked for a coat to the policemen but they took over 10 minutes to bring one.

After 30 minutes they started to change their manners becoming to be more polite and they let us wrap up, it was very cold.

Then after that they ask me some question and check out my room they let me leave the house.

I just want to add that it was a very uncomfortable and shocking experience because I felt as a delinquent. The powerlessness feeling that I still have, it is so big.

On Tuesday April 26th, I was woken up around 6:30 in the morning to continuous loud banging at my front door. I didn't know who it was, and it was at such an early hour that none of my housemates were dressed or awake. As I got out of bed, the banging at the front door got louder and more extreme. Then the door bell started ringing. Just like the banging, it was none stop, like it was super urgent and someone's life depended on it. One of my housemates got to the door (I think it was one of the Vietnamese ladies who lives near the front) and as they opened the door, I heard "Don't move this is the police" or something similar to it. Then there was a lot of shouting from the police as they came rushing into the house. I was still in my room at the time and as I opened my door to see just what was happening, one of the police had a light shined up to my face. I couldn't see anything and was told to "freeze and put my hands up in the air". It felt like a robbery more than a police searching the house for whatever they were looking for. I was then led to the living room where I got handcuffed. None of my housemates nor I had any say in anything. I didn't even see the search warrant, or told anything as to why they were even there at my house at such an ungodly hour being as loud as they were. My friend lives next door, and even she could hear them shouting in my house. I was told to sit on the couch while they rummaged through the house and searched for more people. I was really confused at what was going on. One second I was in bed, and the other, I was handcuffed on the couch. Then I heard loud banging noises coming from my room in the back. I later found out that they broke down my door to get to the other side. The house we live in has a main house and a back house. We can reach the back house through a door in the backyard. My room is in the main house, but it also connects to the backhouse. I have 2 doors in my room. One leading to the main house, which is the one I use. And the other one is a sliding door that is locked to prevent people from the backhouse from coming into my room. It is always locked and the lock is on my side of the door. It pretty much just functions as a wall for me. As I never go out that way and the bottom of the door is taped shut to prevent a draft. But instead of opening the lock and sliding the door open, the police chose to break it down. They threw everything I had in front of the sliding door to the side and broke down the door. They even left a dent in the floor of my room when they brought in the battering ram. After the police found everyone in the house and they stopped shouting, I asked them what was

going on. They then proceeded to tell me that they had a search warrant from the court to search the house for someone who has illegally viewed a child pornography website. I never saw the warrant. I was only told about it. After they decided that no one at the house was a threat, they removed our handcuffs and patted all of us down. They then went around the entire house taking pictures. One of them walked around the house and sketched the entire house. They took our pictures and IDs and asked me for my social security number. They also asked each one of us how long we lived there at the house. Some of us were taken into another room for questioning or something. But I was never questioned or taken into another room. We sat in the living room and waited while they searched. Some of us had classes to go to, so the police let them go. I was the only one who stayed the entire time they searched the house. They were particularly interested in one of my housemate's room, since he was the only one who has lived there for over a year. They took his computers, router, and some letters addressed to him back to their office in Sacramento for further research. They didn't leave the house until after 10 am. They created a huge mess at my house, and they didn't even bother cleaning it up. They also told me that my landlady is in charge of the door they broke. While I understand they are only doing their jobs, but I think it was way over the top to come rushing into our house at 6:30 in the morning, shouting, and pointing guns at people. Not to mention unnecessarily breaking down the door.

April 26, 2011

I awoke on the morning of April 26, 2011 to the sound of banging and shouting coming from the center of the house. I had just enough time to put on pants and run outside, thinking that there could be a robbery or possibly a fight of some sorts. Once I exited my room and entered the kitchen from the garage, I was greeted by some men who were shouting and had their guns drawn. Before I could ask what was going on, the nearest one, a shorter white male, shouted at me to turn around and put my hands behind my back. The man also had his gun drawn, held in his right hand pointed lightly downward in my direction. At this point I realized he was a cop, and did as he asked. The man holstered his gun momentarily to cuff me, tight enough to the point I had some red rings around my wrist by the time they took them off. I was then held by the arm and taken into the living room, and told to sit on the couch. Another man was leading my room mate (b)(6) into the living room by the arm, her hands also cuffed. We were seated on the couch in the living room. I was questioned on how many people were lived in the house, their names, and which rooms belonged to whom. A minute later (b)(6) another cuffed room mate, was taken into the living room in a tea shirt and some boxers. Once I had told them about my other two Vietnamese room mates that were in the master bedroom. Once I did another 2 or more gun drawn team banged on the door and asked for them to open the door. I heard the agents shouting from the room and I tried to tell them their English was not very good, but they told me to continue to tell them about the other parts of the house. I told them about the other two men in the back of the house, and that the Vietnamese man could not speak perfect English. I told them I didn't know the names of the Vietnamese people, but that a man named (b)(6) had lived here longer then most of us. At that one of the agents, the only one without his gun drawn at this point, and the same man who cuffed me, jumped on that subject asked me quite a few questions, most I cannot recall. I mostly told him that I knew very little about (b)(6) and told him that he was an unemployed custodian who tended to the garden, and that he had his own internet router. I was not sure why they wanted to know about the computers and routers in the house. Most of us looked shaken, and the two Vietnamese room mates looked terrified, having known very little on what was going on. As I tuned around on the couch to look into the back yard I could see other agents, but noticed one was pointing his gun directly at Jim, who had just exited the back yard. The same man questioning me before asked me a few more questions about the house, and I told them that there was a door in (b)(6) room that lead to the back portion of the house. A few moments went by where I could hear more yelling and banging from the back portion of the house, then I began to hear someone yelling to open a door. A minute later I heard 2 or three really loud bangs and something falling over. I assumed that it was the door in (b)(6) room at this point, wondering why they had broken down a door to a room they had previously cleared. After a few more moments a Vietnamese man joined us in the living room looking a distressed and terrified. (b)(6) was out back with 3 other agents as far as I could see, seated somewhere in the back yard. It was at this point I was told they had a warrant, and asked who owned the house and how long everyone had lived here. They asked me about the shed in the back, and getting a key for it or they would have to force their way into it. I told them it was my grandmother's house, and that my dad may have the key. They had someone assigned to each person it seemed, so as the others when around and collected

evidence, we were watched in silence. Most of my room mates where in skimpy pj's or underwear, and after a while of shivering one of the Vietnamese women asked for a jacket. A while later an agent brought a jacket for her and put it across her shoulders, though she couldn't put it on due to the hand cuffs. About half an hour later an agent began to take off the hand cuffs one by one, and asked us a few more questions, one of them being if we would wanted to get something warm from our rooms to wear. After we all got our warmer clothes on we were seated in the living room again, each asked to give identification. A man began collecting and taking apart the computers of the house, and ended up taking all of (b)(6) with him. After they had taken pictures of everyone, they took the two Vietnamese women into the back room for a while, and they came back about 20 minutes later fully clothed, looking slightly less distressed. I was taken into the room next, where I was shown the warrant. At this point I was read my writes and questioned some more. I was told that they were here looking for someone who had visited a child pornography cite. They asked me a few questions on my living situation, what my sexual preferences were, what cites I used, and how frequently I used them. I complied and told them everything they asked, even the stuff that was a bit personal. I was then lead back into the living room and saw the others seated there quietly. The agents all seemed to have put their guns away at this point. A few hours went by, where some of more personable agent made small talk and asked if we were ok. I can distinctly recall one of the Caucasian agents saying something about how they had "failed to communicate on this one". After a bit they let some of the other tenants go to where they needed too. I asked if I could grab my phone from the next room and then go over to my parents house across the street for some breakfast. A man lead me into my room to get my phone where I found my drawers of my dresser opened and searched, some of the contents scattered across my table. A small cardboard box labeled "Magic, The Gathering" containing a Magic card collection of mine had been ripped open, along with a plastic bag that my friend left here containing some coal that he uses for his hookah. After that I left the house.

Ultimately it was a very jumbled, disorganized, frightening, "out of no where" experience that is not exactly welcome at 6 am in the morning. I know the agent where just doing their job, but I felt that excessive force had been used and that there could have been some more communication to avoid the property damages, not to mention the mental and physical ones. Their was no need for them to have their guns, to break down any doors, or any other damage they may have caused my room mates. I cant speak for them, but I am told that there where more physical harm to my room mates then I experienced.

Signed, (b)(6)

My report

About 6.30 am on Tuesday, 26 April, 2011. There was a noise in front of our house when we were sleeping. Someone shouted, rang the doorbell and stepped on the front door. My colleague and I were very frightened so we lay doggo in our bedroom. 4 or 5 minutes later, there was a knock at the door and someone said: "open the door". Immediately someone stepped on my bedroom door powerfully, and I saw 4 or 5 big, strong men. They held a gun in their hands. They pointed guns at us. Then they ordered us to put our hands up and checked us. I was in fear of my life. I felt very cold and tired because I was 2 months pregnant. After that both of us were handcuffed. They ordered me to sit on the floor. We were taken into the living room. There were 3 housemates sitting there. All of them were handcuffed. That was the first time I had been handcuffed. At that moment I knew that those men around us were police. There were about 8 or 9 policemen. I did not understand what happened? Why we were handcuffed? After asking us about some information relating to us and taking photos, they opened our handcuffs. They said that they searched the house for investigating a man who used Internet for bad things. About 15 minutes later, some of us were free. We went to UC, Davis to work and study. I have been in a state of panic about that matter. What a terrible nightmare!

From: (b)(6)
To: (b)(6)
Date: Wed, Apr 27, 2011 6:13 pm

Dear (b)(6)

I am (b)(6) - rent your room. I sent my report about yesterday problem to you and you correct it for me.

What is Human right in US?

Yesterday, we had a big trouble with policeman in US – a country is considered the most free country, where the Human right is very important for everybody.

At about 6:30 am., very early morning since we usually stay up late, we heard many noises and many people shouted loudly. We did not understand what the matter was, we were very afraid and did not open the door. After that, we heard the bell ring (about 3 times) and many voices in English, but nobody opened the door (I thought that everybody was afraid of robber, or terrorist,...). Then, they broke the door and got into the house, they shouted very loudly, I did not know what they did, because I was in my room. After 9 or 10 minutes, we heard many strong noises in front of my room, many voices but we did not understand what they said. We did not open the door since we too frightened. So, they used their feet to break the door and 3 or 4 of them got into my room. They pointed their gun at my body directly. They forced us to hand up and then hand-cuffed our hands, also they forced us to sit down on the floor. We were so frightened that we could not say anything. At first, I thought they were terrorists, but they wore the police uniform (although they did not show anything to improve who they were). After that they forced us to go out and sit down on the armchair in the living room. I saw that everybody staying in the house sit here and I could see that they wore the uniform with the letter: POLICE ICE IN AMERICA. They explained to everybody they were looking for someone who accessed illegal website. They asked us about the document (passport, ID card,...) and after I said to them where my passport was, they came to my room to open my wallet in my backpack in order to take my passport (without my agreement). Terribly, we were very cold because we only wore the night-clothes. When I asked them about the warm coat, they got into my room and took it for me. Then, they took off hand-cuff for everybody, took my photograph and permitted us to wash our face and could go to University if we want. They continued to check wireless, computer and searched thoroughly every room. I did not know when they left the house since I left from the house in order to go to my friend's house at about 7:30 am.

They did not say "sorry" or something like that. Until now, I can not imagine that in an innovative country such as US, policeman can have the right to do many things which break the human right. My nice imagination about American is broken.

Police Raid acct

account of police raid by

(b)(6)

(b)(6)

that took place on
tuesday april 25 between 6:00 AM
and 6:30 AM at
(b)(6)
Davis California 91616.

I awoke sometime after 6:00 AM
to the sound of police officers in
the back yard of my residence.
I share one of two bedroom
units in the back of the house
adjacent to the back yard.
I looked out the window and saw
police with guns drawn and

became concerned they were chasing a suspect through the back yard.

I left my bedroom to see if I could be of assistance but stopped at the bathroom to first relieve myself and proceeded to exit the back entrance of the two rear bedroom units. There was another door that connected the main house to the rear units but it had been permanently sealed to provide additional security and privacy to the women tenant

living in the room where the door was located. As I left the bathroom to exit the house I could hear police yelling and banging doors in the main house. I went outside to talk to the officers in the back yard to find out what was happening. As I exited the rear unit entrance a police officer leveled his gun at me and told me to lay down. As I complied with the officers request I could hear the police on the other side

of the connecting sealed door
breaking the door down with a
ram rod from the tenants bedroom
side of the door. I tried to
explain to the officer holding
his gun on me that all they
had to ~~do~~ was walk out
the back entrance of the house
and walk through the ~~the~~ door
I had just walked out of
to gain entry to the rear unit.
By the time I finished explaining
this to the officer there were
already chunks of the door flying

into the ~~door~~ hallway and into the bathroom across from the door they were breaking down. Once they gained entrance through the broken door they proceed rough up and handcuff my rear unit roommate at gun point. They then handcuffed me and had us both sit ~~up~~ out in the back yard while the other officers in the main house continued their search for tenants.

I should point out that noone living at the residence attempted

in any way to resist the officers,
every one was confused and panicked
by the raid yet in spite of all
our efforts to comply with the
officers ~~was~~ we were subdued at
gunpoint and handcuffed. It was
not until after they had completely
searched the house that we were
shown a search warrant. A number
of residence were so traumatized
by the experience that they couldn't
sleep and ~~at the~~ would have
panic attacks anytime someone
in the house would open and close

a door or could be heard walking down a hallway. Had the officers done ~~an~~ a better investigation before raiding the house they would have known there was no one living here who would even remotely pose a threat to them upon seeing a search warrant. The force was excessive, unnecessary, and uncalled for. The use of such force actually put everyone at far greater risk than if they had handled the situation in almost ~~any~~ other way. I should point out that

the trauma suffered by one of
our residents who was pregnant
led to a miscarriage four days
after the raid, it would seem.

Clearly the only people threatening
the health and safety of children
as a consequence of this raid
were the agents conducting the
raid,

(b)(6)

may 2 2011

From: Vietnamese Visiting Scholar to UC Davis USA

(b)(6)

To Whom It May Concern:

I am pleased to present a matter to authorities:

At around 6 - 6:30 am, April 26, 2011 at the (b)(6) Davis, California 95616, USA, where the Vietnamese Visiting Scholars to UC Davis rent has stumbled arrests for no reason and violence that conducted by the ICE police force.

In the morning when I'm asleep, then heard a knock out and speaking in a loud voice outside and I did not understand what happened because I was in the back of the house. When that voice is too louder I got up and opened the door to see if anything, and saw a man came to and did not say police, and I did not understand what had happened and closed the door, man kicked and rushed to my door, step on a very strong around 30 seconds and then they say police.

When I knew police I immediately opened the door (this only happened in approximately 1 minute), when I opened the door when suddenly about 3-4 police rushed to the animal something I lay face down on the ground and punches straight into my head, then use handcuff to make throbbled pain for my hand before locked (makes my hands bruised and swollen) and to point gun at me.

After the barbaric act very quickly and that I was rushed into the garden in back yard, when I saw that a person with the name of (b)(6) is also handcuffed, and I was very cold but not to get clothing. Handcuffs locked around 15-20 minutes after asking me some questions. After I answered the questions I've been open handcuffs and sitting in the garden to wait for 20-30 minutes then I was leaded into my room to get passport and get clothes, and put me in the living room where I saw everyone to be there.

Early in the morning, (b)(6) also heard a knock out and speaking in a loud voice outside, and they also did not understand what happened outside and they think the robber and thought that should sit indoors. Then the police kicked the door to the room and around 3-4 police crashed into the room and pointed the guns into them, (b)(6) is required to sit on the bed and (b)(6) was required to sit down on the ground and handcuffed both them. Then they were moved to living room together.

When everyone was herded into the living room for getting information, passports and taking photo. Around 8:30 am, they allowed everybody to school.

However, until now everybody in this house still do not understand what had happened, and is anything still happen? Many people have been particularly painful, sick without consideration from authorized people and explanation (only (b)(6) the owner, and UC Davis stuffs are very interested and encouraged).

People feel insecure, psychologically affected. After the incident happened (b)(6) was bellyache and was rushed her to hospital, after 2 days she lost pregnancy (miscariage). My hand is swollen and headache until now (hand swollen was photographed by owner)

Up to now, I personally still do not understand people who came here, are they police? Because they when they came they did not explain or introduce anything, did not present a Police Card or let we know they are police.

I also want the authorities to explain this incident and to have responsibility for their activities.

We would like to say thank you for all your kinds help during our difficult time.

We respectfully request that the diplomatic agencies of Vietnam Government in the United States, UC Davis and (b)(6) (owner) to help us resolve this matter.

Date 28, April 2011

On behalf of Vietnamese visiting scholar team

(b)(6)

From: (b)(6)
To: (b)(6)
Subject: LETTER
Date: Mon, May 2, 2011 7:26 pm

At 6:30am on Tuesday, April 26th I was startled by the loud pounding and shouting. I was shocked by the event, demands for opening doors were audible as well as orders to get down. At first I thought I was overhearing an event of domestic violence or assault but when I saw several unmarked vehicles parked wildly on the sidewalk I suspected something else – perhaps a home invasion. The vehicles were parked next door at a home where several friends and acquaintances lived. After learning more details, I became very upset in the manner which officials handled the situation. (b)(6)

1
May 3, 2011

To whom it may concern,

On the 28th of April at 6:30 in the morning, I was awoken to loud pounding sounds and shouts of "Police, search warrant". The intense reverberations of (then unidentified) Homeland Security's shouting and door pounding was such that I believed they were investigating my house. I looked out my window to see a group of men surrounding my neighbors' house, and then retreated from my window out of fear. I shortly heard sounds of doors banging open, footsteps running across hard floors, more sounds of physical force being exerted on solid surfaces, and finally shouts of "Get down! Get down!". I was frightened both for my neighbors and myself by this unprecedented use of force, and continue to have difficulty understanding why such aggression was necessitated, particularly since it yields psychological damage for all parties directly and indirectly involved.

Sincerely, (b)(6)

April 26, 2011

I awakened later than usual, about 6:10 or so. Got up and made coffee. Took a cup back to bed. As I was reaching for my reading material one of my housemates, (b)(6) came to the door of my room and spoke my name. I could tell by his tone of voice there was a serious problem. He asked if I had heard "that." I replied that I had heard nothing. He told me that the police were banging on the door (b)(6) (next door) and yelling loudly, and that he had waited a bit to come tell me as he didn't want to awaken me. I slipped some sweats over my pajamas and putting my sandals on I went out through the garage to the front of the house. Looking both directions along (b)(6) I did not see any thing that looked like police cars. All looked and sounded quiet next door.

As I started next door, the neighbor directly across the street came out and called to me. I crossed the street to speak with him. He advised me to use caution as the police had gone into the house with their guns drawn. I said I didn't see any police cars. He pointed to several new looking SUVs parked down the street and said something to the effect of those were their cars and they seemed to have deliberately parked away from the front (b)(6). He told me the police had pounded on the door and yelled loudly enough for him to hear across the street that they were the police and had a search warrant.

I walked back across the street to the middle of the front yard (b)(6). I could see several officers inside. I started to call my grandson (b)(6) who is one of seven people living in the house, on my cell phone, then thought better of it. An agent came out of the house and asked if I was "the grandmother." I said something like what? Whose grandmother? I was then asked if I was the owner of the house to which I replied, "Yes." I asked if they had a warrant and when answered in the affirmative I asked to see it. I was told I could see it as soon as I produced the proper identification. At first I thought what was wanted was proof I owned the house but with a couple of questions I was made to realize my driver license would do. Another agent came out of the house and asked if I had the keys to the shed in the back. I told him my son had them, that I would get them and my driver license, and the shed would be unlocked after I had seen the search warrant.

I went back to my house, (b)(6) got my wallet and crossed the street to my son's house (b)(6). (b)(6) As I crossed the street I noticed two agents walking north on my side (b)(6). My son's door was locked so I called him on my cell phone and asked him to come quickly and let me in. I explained what little I knew, that there were police (b)(6) they had a warrant, and wanted the keys to the shed. When (b)(6) had dressed and gotten his keys we walked to the middle of the front yard (b)(6). I noticed two new looking SUVs, without license plates, had been moved to the front (b)(6) blocking the car belonging to (b)(6) (b)(6) one of the residents, in the driveway.

An agent who later identified himself as (b)(6), came out. I was shown the search warrant. Not having seen such before I could only surmise it was legitimate. I looked over the warrant and realized they were looking for evidence of child pornography. In response to some question or other I learned they were investigating some computer transmission of child pornography across international borders. I did not think to ask any of the officers for ID, nor did they offer any. They were wearing jackets that said "police" and "ICE" on the back as well as official looking badges.

My son said he was not sure which key in the bunch he was holding was the key they wanted. He was reluctant to give all his keys to the agent and asked if we could go around to the back of the house to the shed. (b)(6) gave his assent and the three of us walked around to the back of the house. I was told that they were not holding anyone and that all of the residents were free to leave and go about their business. (b)(6) started trying keys attempting to find the proper one. (b)(6) was sitting in a chair near the shed. After (b)(6) got the shed door open we were ushered out of the back yard. It was quite clear we were not going to be allowed to watch them search the shed. It also seemed apparent that we were not to enter the house though at no time did I, or my son, ask to do so.

As my son and I walked back towards the front of the house, accompanied by an agent, another of the tenants (b)(6) a student from Chile here to study English at UCD, came around to get his bike so he could go to campus. He looked stricken. I asked if he was okay and he tried to reassure me he was.

I was asked several times about who lived (b)(6) last March. I was unable to think of anyone at first, other than (b)(6) and a man I referred to several times as "the fellow who used to work for my son." Although the agents seem quite interested in my providing them with names, they never once asked me the name of the "fellow who used to work for my son." I was asked if I wrote leases for the tenants. I replied that I did for those who were to stay for a year, but often did not for those who were only staying for

a quarter as most of the current tenants were. I mentioned that I thought a (b)(6) had been there a year ago, and my son and I discussed just when (b)(6) had moved, settling on the end of August, 2010. Asked if I had a forwarding address for him I replied that I didn't but could probably get one as I have several friends who also know him. Asked if he was still in the general area I said I thought so. I went back to my house at some point to see if I could find the leases from the year before but was unable to find them.

At some point I was asked rather casually where I kept my gun. I started to say I didn't have one, then amended it to I did have a pellet gun. I said it had belonged to my long dead ex-husband. Turning to my son I explained it had been his dad's. I had thought it was a real gun and had confiscated it when I filed for divorce. Years later I showed it to a friend who told me it was just a pellet gun and we bought some pellets for it as he was going to teach me how to shoot it. I have never fired it. Looking back towards the agent I said I was not even sure just where it is. I later asked the agent what sort of a gun it was that I supposedly had. I was told a 38 revolver is registered to someone with my name.

My son and I walked back across the street to his house. I said I needed to leave for class soon. (Somewhere in this sequence of events I had returned to my house, showered and dressed. I do not remember where in the sequence of events this happened.) (b)(6) asked if I had gotten a copy of the search warrant. I said I had not and he suggested I ask for one. We went back (b)(6) and waited until someone inside noticed us. I asked that I be given a copy of the search warrant. The agent who spoke with us said they would leave one when they had filled out the page that was blank with the items they were taking with them. I gave the man my card with my phone number, said I would likely be in class (b)(6) also gave him a card with his phone number and asked that he be called as he would be near-by. The agent, (b)(6), (b)(7)(C) gave me his card. This was the first that I realized I was dealing with agents from Homeland Security. While I did not know at the time what ICE stood for, I had noticed that the warrant had been requested by a federal official and signed by a federal judge when I was shown it. Nowhere on the warrant is the agency requesting or responsible for executing the warrant identified.

When I returned home about 4:30 that afternoon several of the residents began to tell me what had occurred. My housemates also told me what they had seen and heard. Their statements are attached. A copy of the search warrant including the list of confiscated items had been left for me by one of the tenants. As required, a list of items confiscated is included. While the warrant itself makes reference to an Attachment A it was not attached, nor did I see such when I was shown the warrant earlier. Attachment B, 4 pages listing the items that could be searched for and seized if found was included. No mention was made, either verbally when I spoke with agents, or on the written material left of any damages to the house itself. That damage consists of one solid interior sliding door and lock completely destroyed, one interior hollow core door and door jam damaged, one interior hollow core door and lock damaged, and damage to the floor in one bedroom. Nor has anyone contacted me concerning such damages.

About 6:30 pm the following Friday, April 29, 2011, (b)(6) came into my office (garage) (b)(6) asking that I come see her roommate (b)(6) looked rather pale to me. She explained she had had abdominal pain the afternoon of the 26th but that the pain had gone away. Then about noon on the 29th she noticed some dark brown spotting. Afraid she might be miscarrying, I said we should go to the emergency room at Sutter Davis Hospital which we did. We were at the hospital until about 1:30 or 2:00 am. (b)(6) was miscarrying.

(b)(6)

A number of questions and concerns have come to my mind since that Tuesday morning.
Why was what appears to be an excessive amount of force deemed necessary considering that:

No one offered any resistance.

The agents were told that several residents were not fluent in English.

Three of the residents are small, slight of build females.

What constitutes legal notification of police identity? Is it sufficient to waken people by yelling loudly while pounding on doors?

In a multi-cultural society is it not considered necessary to determine if what is being yelled is understood?

In the context of a university community, whose university, University of California, Davis, is internationally known for its outreach programs to international universities, scholars, and students this lack of consideration is bewildering.

Is the possibility that occupants wakened by repeated loud banging, bell ringing, and shouting might be terrified ever even considered in such circumstances?

When in the course of conducting a search must the search warrant be shown, and to whom? Is it sufficient to simply state, or yell loudly outside a closed door, that a warrant exists or must the warrant be physically exhibited? Is it necessary to ascertain whether or not those affected by the search understand what is occurring and why?

Since the search warrant, signed by a federal judge on Monday, April 25th was valid until May 9th why was it deemed necessary to execute the warrant early the following Tuesday morning rather than gathering information about who the occupants of the house were, especially since the alleged transmission of child pornography apparently took place over a year ago?

Was the possibility that the alleged perpetrator and/or possible incriminating materials might no longer be in the house being searched given the time passed since the alleged event occurred even considered by those in charge of conducting the search?

Given that the search and seizure warrant named only things, not persons, why was the raid staged at a time when occupants could be presumed to be present, and quite probably asleep?

If it can be determined that the stress of the incident played a role in the miscarriage of (b)(6) who pays her medical bills? Who compensates her for the loss of a badly wanted child assuming it is possible to compensate someone for such a loss?

Who pays for counseling for the psychological stress and perhaps post traumatic stress disorder incurred by terrified innocent people?

Who pays for the damages to my house? Why were these damages not documented? Why have I not been advised that such damages occurred? Had a minimal amount of information been obtained beforehand and/or at the scene would such damage have been considered necessary?

Would it not have been possible to contact me, show me the warrant, and ask me to cooperate in providing access to the house and tenant consent for the search, as well as information regarding present and past tenants? If not, why not? Was it not possible to announce their presence and purpose in a manner that would not have resulted in people being too terrified to open their doors? Do the arguments for not doing so supersede the rights and safety of innocent until proven guilty people?

Much of the house was searched prior to the occupants being aware a search warrant existed and prior to their being shown such. Does this then constitute a legal search and seizure operation?

My understanding of this incident is that the agents were looking for things, specifically computer and other technological evidence of child pornography. This was not a drug raid. This was not a search for any person. As of this date no one has been detained, arrested, or charged with a crime. Nor, according to the search warrant was any particular person expected to be. Do these facts justify a forced entry at gunpoint and forced detainment and handcuffing of terrified and non-resisting innocent until proven guilty people? Does such forced detainment violate their rights guaranteed by the Fourth Amendment? Do these facts justify the risk of people being shot and possibly killed? Are the injuries, both psychological and physical, sustained by the residents and the damages done to the house simply considered "collateral damage"? In what conceivable way did the actions of the ICE agents contribute to our national security?

Who protects us citizens and visitors from foreign countries from those whose job it is to protect us? How would the American government respond to such treatment of its nationals in other countries?

(b)(6)



View of damaged door in (b)(6) room from bedroom. Doorknob visible is on open exit door from back hallway to outside. Open doorway visible is to bath room.



View of damaged door in
room from bedroom.

(b)(6)



View of damaged door in
from hallway.

(b)(6)

room



View of damaged door in (b)(6) room
from hallway.

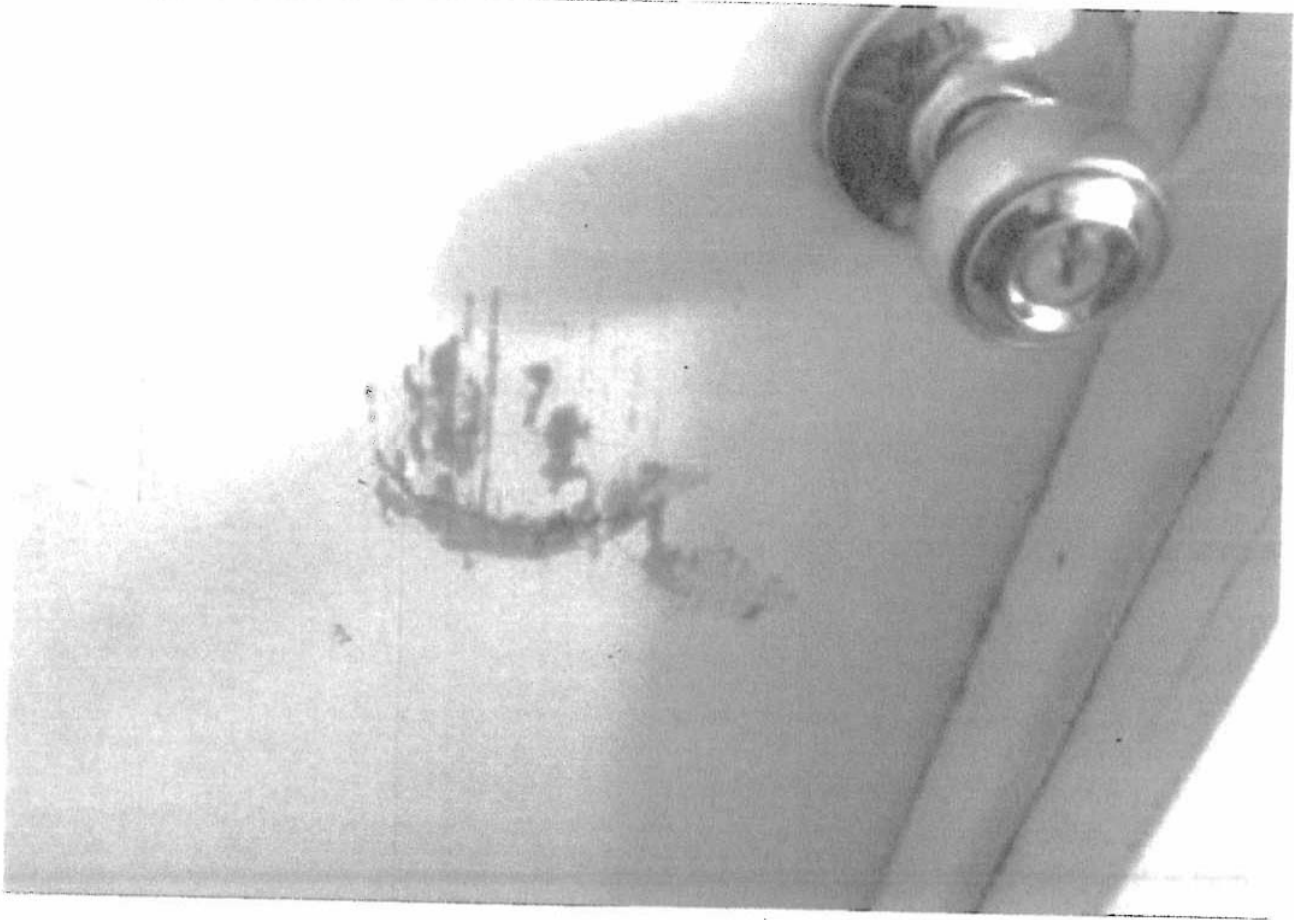
Door knob that is visible is on exit door leading
from hall way to outside. Door is open.



view of damage to floor in (b)(6) room



Damage to floor in (b)(6) room



View of damage to door to (b)(6) room
from hallway side.



(b)(6) hands. Note swelling and bruising
of left hand.

(b)(6)

BILLING INVOICE

Invoice # 540-1-11

Date: 04/27/2011

To: (b)(6) Davis, CA 95616

Job Location: (b)(6) Davis CA 95616

Please pay for the following work performed:

Remove and replace slider door between bedroom and back hallway.
Install new lock on door. Paint door.

Labor and materials: \$200.00

Thank you.

(b)(6)

Date 4/27/11

Bonded * Insured * PL & PD * CA. Contractors Lic. (b)(6)
CA. Consumers Affairs ST. Contractors Lic. Board

(b)(6)

Estimate

Invoice # 540-2-11

Date: 04/27/2011

To: (b)(6) Davis, CA 95616

Job Location: (b)(6) Davis CA 95616

Repair and paint back bedroom door.
Repair and paint door jam.

Labor and Materials: \$100

Repair/adjust lock on front bedroom door.
Paint door.

Labor and Materials: \$65

Remove and replace damaged Pergo flooring in bedroom with slider door.

Labor and Materials: \$500

Total Labor and Materials: \$665

Thank you.

(b)(6)

Date 4/27/11

Bonded * Insured * PL & PD * CA. Contractors Lic (b)(6)
CA. Consumers Affairs ST. Contractors Lic. Board

Copies to:

Department of Homeland Security Office of Civil Rights and Civil Liberties

Mailed to: CRCL/Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, DC 20528

ICE Office of Professional Responsibility

Mailed to: Resident Agent in Charge - San Francisco
1111 Jackson Street, Suite 555
Oakland, CA 94607

(b)(6),(b)(7)(C)

Supervisory Special Agent

Mailed to: DHS Homeland Security Investigations
650 Capitol Mall, Suite 7-200
Sacramento, CA 95814

Edmund F. Brennan, US Magistrate Judge

Mailed to: United States District Court for the Eastern District of CA
C/o Clerk's Office, United States Court House
501 I Street, Sacramento, CA 95814

Secretary Janet Napolitano

Mailed to: Department of Homeland Security
United States Department of Homeland Security
Washington D.C. 20528

(b)(6)

UCD Campus Counsel

Hand Delivered: Office of the Chancellor, University of California - Davis
One Shields Avenue
Davis, CA 95616-8558

(b)(6)

Deputy Consul General

Consulate General of Vietnam
1700 California Street, Suite 430
San Francisco, CA 94109

Senator Barbara Boxer

Hand Delivered: Sacramento Office
501 I Street, Suite 7-600
Sacramento, CA 95814

Congressman Mike Thompson

Hand Delivered: Yolo District Office
712 Main Street, Suite 101
Woodland, CA 95695

Yolo County Supervisor Don Saylor

Hand Delivered: Don Saylor, Davis, CA

City of Davis Mayor Joe Krovoza

Hand Delivered: Davis City Hall, 23 Russell Blvd., Davis, CA 95616



Homeland
Security

November 28, 2012

(b)(6)

Davis, California 95617

Re: Complaint No. 11-08-ICE-0248

Dear (b)(6)

This letter is a follow-up to the complaint the U.S. Department of Homeland Security's (DHS) Office for Civil Rights and Civil Liberties (CRCL) received from you on May 18, 2011, regarding Immigration and Customs Enforcement's (ICE) service of a search warrant at a residence that you own and that is rented by several tenants. In your complaint, you alleged that ICE officials used excessive force against one of your tenants and caused damage to the interior of the residence. . . .

In addition to CRCL, ICE Office of Professional Responsibility (OPR) also received your complaint. OPR investigated your complaint and provided CRCL a copy of a report documenting its investigation. According to the report, OPR interviewed you, two of the tenants present during the service of the search warrant, and the ICE agents who participated in the service of the search warrant. The agents indicated that while conducting a protective sweep of the residence, ICE officials pursued one of the tenants of the residence, (b)(6) into a bedroom. Mr. (b)(6) was subsequently apprehended and handcuffed. ICE officials removed the handcuffs from Mr. (b)(6) and the other tenants once it was determined that the residence was safe for officials to search. The report also states that Mr. (b)(6) did not complain of any injuries to ICE officials. Finally, Mr. (b)(6) did not submit a statement regarding the incident. .

Accordingly, based on our review of the facts and circumstances presented in this matter, we are unable to substantiate your complaint and we are closing this matter. We appreciate your bringing this complaint to our attention. Inquiries like yours help DHS meet its obligation to protect civil rights and civil liberties. .

If you have additional information or allegations regarding inappropriate treatment by DHS officials, please do not hesitate to provide it. .

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey S. Blumberg".

Jeffrey S. Blumberg

Director for Compliance
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security



**Homeland
Security**

June 24, 2011

(b)(6)

Davis, CA 95617

Re: Complaint No. 11-08-ICE-0248 on behalf of

(b)(6)

Dear

(b)(6)

The Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) received your complaint on May 18, 2011. Thank you for contacting us with your concerns. CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security.

The issues you raise are very important to us, and we would like to inform you how your complaint will be processed by this Office. Initially, we will send your complaint to the DHS Office of the Inspector General for review. If the Inspector General declines to accept the complaint, it will be returned to CRCL for an appropriate response. Once CRCL opens a formal complaint, either we or the appropriate DHS component will conduct an investigation into your concerns. CRCL will contact you with the anticipated course of investigation for your complaint and will ultimately notify you of the outcome.

Please be advised that our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, CRCL is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your interests.

If you have not already done so, please provide CRCL with your complete contact information, including a phone number, email, and mailing address if available. You may contact CRCL by email at crcl@dhs.gov, by facsimile at 202-401-4708, or by mail at the following address:

Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop 0190
Washington, DC 20528

For additional information about CRCL's roles and responsibilities, see our website at <http://www.dhs.gov/crcl>.

If you are filing a complaint on behalf of an individual, please provide CRCL with the express written consent of the individual if you would like to be informed about the resolution of this complaint. When communicating with CRCL about this matter, please include the complaint number noted at the top of this letter. Thank you again for contacting the Office for Civil Rights and Civil Liberties. Communications like yours are essential to our ability to carry out our role of supporting the Department's mission to secure the nation while preserving individual liberty, fairness, and equality under the law. We look forward to working with you to address your concerns. If you have questions, please contact CRCL either in writing or by phone at 866-644-8360, 866-644-8361 (TTY).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jeffrey S. Blumberg', with a stylized, flowing script.

Jeffrey S. Blumberg
Director, Compliance Branch
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Privacy Act Statement

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties (CRCL) is authorized to investigate complaints and information from the public about possible violations of civil rights or civil liberties related to DHS employees, programs, or activities. A federal law, called the Privacy Act, says we must explain how we protect your information while processing your complaint. CRCL may disclose certain information from your complaint if we are required by law to do so or if there is no privacy impact. For example, we send reports to Congress every three months about complaints submitted by the public. Those reports describe the types of complaints, and do not include personal information. To read our past reports, go to

www.dhs.gov/CRCL. To learn more about the Privacy Act, go to the Federal Information Center, www.pueblo.gsa.gov.



Homeland
Security

OFFICE FOR CIVIL RIGHTS & CIVIL LIBERTIES (CRCL)
COMPLAINT WITHOUT RECOMMENDATIONS
CLOSURE MEMORANDUM

To: (b)(6)
From:
Date: November 28, 2012
Complaint Number: 11-08-ICE-0248
Complainant Name (Alien Number): (b)(6)

Reason(s) for Closure without Recommendations (check all that apply):

(b)(5)

Complaint Synopsis and Explanation of Closing Rationale:

On May 18, 2011, CRCL received correspondence from (b)(6) regarding an ICE execution of a Search and Seizure Warrant at her residential property in Davis, California. (b)(6) owns the residential property that she rents to multiple residents. On April 26, 2011, (b)(6) alleged that ICE agents used excessive force in the execution of the warrant, entering the house with guns drawn, forcibly restrained and handcuffed residents, injuring one resident, and causing damage and destruction of the residential property. (b)(6) expressed concern regarding the injuries sustained by (b)(6) and (b)(6) who was pregnant at the time of the incident and subsequently miscarried her baby. (b)(6) further alleged that ICE agents caused damage to her property when they broke through an interior door with a battering ram, causing damage to the door and the floor.

(b)(5)

Protected by the Deliberative Process Privilege

Comments (optional):

For Completion by Reviewer:

Closure Recommendation Accepted  _____

Closure Recommendation Not Accepted _____

Further Action Required: _____

Protected by the Deliberative Process Privilege

DHS/TSA Civil Rights

DHS Complaint History Listing

DHS Matters: Contact-DHS-11-0869 11-08-ICE-0248

(b)(6)

Data Object	Date	Event	Field	New Value	Tracking Id	User	Reason
DhsComplaint	2011-06-16 16:56	Update	Summary	On May 18, 2011, CRCL received standard mail correspondence from (b)(6) alleging unnecessary use of force on her property and her tenants by ICE agents while serving a warrant on April 26, 2011. (b)(6) included letters from each of her tenants	7642	(b)(6)	User Change
DhsComplaint	2011-06-16 15:38	Create	Entry Date	06/16/2011	7642	(b)(6)	User Change
DhsComplaint	2011-06-16 15:38	Create	Method of Receipt	Standard Mail	7642	(b)(6)	User Change
DhsComplaint	2011-06-16 15:38	Create	Sender Type	Individual	7642	(b)(6)	User Change
DhsComplaint	2011-06-16 15:38	Create	Date on Correspondence	05/10/2011	7642	(b)(6)	User Change
DhsComplaint	2011-06-16 15:38	Create	Date to DHS	05/17/2011	7642	(b)(6)	User Change
DhsComplaint	2011-06-16 15:38	Create	Date to CRCL	05/18/2011	7642	(b)(6)	User Change
DhsComplaint	2011-06-16 15:38	Create	Days to Process	29	7642	(b)(6)	User Change
DhsComplaint	2011-06-16 15:38	Create	Allegation	(CR/CL) Civil Rights/Civil Liberty	7642	(b)(6)	User Change
DhsComplaint	2011-06-16 15:38	Create	Executive Summary	On May 18, 2011, CRCL received standard mail correspondence from (b)(6) alleging unnecessary use of force on her property and her tenants by ICE agents while serving a warrant on April 26, 2011.	7642	(b)(6)	User Change
DhsComplaint	2011-06-16 15:38	Create	Summary	On May 18, 2011, CRCL received standard mail correspondence from (b)(6) alleging unnecessary use of force on her property and her tenants by ICE agents while serving a warrant on April 26, 2011. (b)(6) included	7642	(b)(6)	User Change

				letters from each of her tenants		(b)(6)	
DhsComplaint	2011-06-16 15:38	Create	Component Referenced	ICE	7642		User Change
DhsComplaint	2011-07-27 13:07	Update	Summary	(b)(5) On May 18, 2011, CRCL received standard mail correspondence from (b)(6) alleging unnecessary use of force on her property and her tenants by ICE agents while serving a warrant on April 26, 2011.	7642		User Change
DhsComplaint	2011-07-27 13:07	Update	Executive Summary	(b)(5) On May 18, 2011, CRCL received standard mail correspondence from (b)(6) alleging unnecessary use of force on her property and her tenants by ICE agents while serving a warrant on	7642		User Change
DhsComplaint	2011-07-27 13:07	Update	Days to Process	70	7642		User Change
DhsComplaint	2011-08-25 08:56	Update	Summary	(b)(5) On May 18, 2011, CRCL received standard mail correspondence from (b)(6) alleging unnecessary use of force on her property and her tenants by ICE agents while serving a warrant on	7642		User Change
DhsComplaint	2011-08-25 08:56	Update	Days to Process	99	7642		User Change
DhsComplaint	2011-08-25 08:57	Update	Summary	(b)(5) On May 18, 2011, CRCL received standard mail correspondence from (b)(6) alleging unnecessary use of force on her property and her tenants by ICE agents while serving a warrant on	7642		User Change
DhsComplaintAction	2013-01-09 15:46	Create	Action	Closed - Short Form/No Further Action	109195		User Change
DhsComplaintAction	2013-01-09 15:46	Create	Internal Summary	On May 18, 2011, CRCL received a complaint from (b)(6) regarding ICE's execution of a search and seizure warrant on her property, alleging excessive use of force. ICE conducted an administrative inquiry finding that the authorized search was conducted	109195		User Change

DhsComplaintAction	2013-01-09 15:46	Create	Action Date	11/28/2012	109195	(b)(6)	User Change
DhsComplaintAction	2013-01-09 15:46	Create	Document	Final SF Close Memo (b)(6).pdf	109195	(b)(6)	User Change
DhsComplaintAction	2013-01-09 15:46	Create	Reporting Summary	On May 18, 2011, CRCL received a complaint from (b)(6) regarding ICE's execution of a search and seizure warrant on her property, alleging excessive use of force. ICE conducted an administrative inquiry finding that the authorized search was conducted	109195	(b)(6)	User Change
DhsComplaintAction	2011-11-09 08:39	Create	Action	Retained in CRCL	106410	(b)(6)	User Change
DhsComplaintAction	2011-11-09 08:39	Create	Action Date	11/09/2011	106410	(b)(6)	User Change
DhsComplaintAction	2011-07-05 12:25	Create	Action	IG Declines/Back from IG	105389	(b)(6)	User Change
DhsComplaintAction	2011-07-05 12:25	Create	Document	11-08-ICE-0248 (Additional info needed) (OIG Response 7.5 2011).pdf	105389	(b)(6)	User Change
DhsComplaintAction	2011-07-05 12:25	Create	Action Date	07/05/2011	105389	(b)(6)	User Change
DhsComplaintAction	2011-07-05 12:26	Create	Action	Awaiting Recommendation	105390	(b)(6)	User Change
DhsComplaintAction	2011-07-05 12:26	Create	Action Date	07/05/2011	105390	(b)(6)	User Change
DhsComplaintAction	2011-07-12 13:30	Create	Action Date	07/12/2011	105497	(b)(6)	User Change
DhsComplaintAction	2011-07-12 13:30	Create	Action	Recommendation Review	105497	(b)(6)	User Change
DhsComplaintAction	2011-07-12 13:31	Create	Action Date	07/12/2011	105498	(b)(6)	User Change
DhsComplaintAction	2011-07-12 13:31	Create	Action	Back from Officer	105498	(b)(6)	User Change

DhsComplaintAction	2011-07-12 13:31	Create	Primary Assignment	(b)(6)	105498	(b)(6)	User Change
DhsComplaintAction	2011-07-12 13:31	Create	Comments	short form	105498	(b)(6)	User Change
DhsComplaintAction	2012-07-17 12:17	Update	Action	Short Form	106410	(b)(6)	User Change
DhsComplaintAction	2011-06-24 10:22	Create	Action	Open a Complaint	105311	(b)(6)	User Change
DhsComplaintAction	2011-06-24 10:22	Create	Action Date	06/24/2011	105311	(b)(6)	User Change
DhsComplaintAction	2011-06-24 10:22	Create	Comments	Per instructions from Jeff Blumberg, Open as short form .	105311	(b)(6)	User Change
DhsComplaintAction	2011-06-24 10:23	Create	Action	Sent to IG	105312	(b)(6)	User Change
DhsComplaintAction	2011-06-24 10:23	Create	Action Date	06/24/2011	105312	(b)(6)	User Change
DhsComplaintAction	2011-06-24 10:37	Create	Document	CRCL Acknowledgement letter (b)(6) 11-08-ICE-0248.pdf	105314	(b)(6)	User Change
DhsComplaintAction	2011-06-24 10:37	Create	Action	Acknowledgement Letter Sent	105314	(b)(6)	User Change
DhsComplaintAction	2011-06-24 10:37	Create	Action Date	06/24/2011	105314	(b)(6)	User Change
DhsComplaintDocument	2011-06-24 10:50	Create	Document 1	~\$mplaint Summary Form11-08-ICE-0248 (b)(6) docx	84313	(b)(6)	User Change
DhsComplaintDocument	2011-06-24 10:50	Create	Foreign Language	No	84313	(b)(6)	User Change
DhsComplaintDocument	2011-06-24 10:50	Create	Dateentered	06/24/2011	84313	(b)(6)	User Change
DhsComplaintDocument	2011-06-24	Create	Document Type	Draft Response	84313	(b)(6)	User

	10:50					(b)(6)	Change
DhsComplaintDocument	2011-06-24 10:51	Delete			84313		User Change
DhsComplaintDocument	2011-06-24 10:51	Create	Document 1	Complaint Summary Form111-08-ICE-0249 (b)(6) docx	84314		User Change
DhsComplaintDocument	2011-06-24 10:51	Create	Foreign Language	No	84314		User Change
DhsComplaintDocument	2011-06-24 10:51	Create	Dateentered	06/24/2011	84314		User Change
DhsComplaintDocument	2011-06-24 10:51	Create	Document Type	Draft Response	84314		User Change
DhsComplaintDocument	2011-06-16 16:42	Create	Document 1	5 18 2011 (b)(6) pdf	84247		User Change
DhsComplaintDocument	2011-06-16 16:42	Create	Foreign Language	No	84247		User Change
DhsComplaintDocument	2011-06-16 16:42	Create	Dateentered	06/16/2011	84247		User Change
DhsComplaintDocument	2011-06-16 16:42	Create	Document Type	Incoming Letter	84247		User Change
DhsComplaintDocument	2012-10-16 12:41	Create	Document Type	ROI	88202		User Change
DhsComplaintDocument	2012-10-16 12:41	Create	Foreign Language	No	88202		User Change
DhsComplaintDocument	2012-10-16 12:41	Create	Dateentered	10/16/2012	88202		User Change
DhsComplaintDocument	2012-10-16 12:41	Create	Document 1	AIR Closing Report.out	88202		User Change
DhsComplaintDocument	2012-10-16 12:55	Create	Document Type	ROI	88203		User Change
	2012-						

DhsComplaintDocument	10-16 12:55	Create	Document 2	Exhibit 22aa.JPG	88203	(b)(6)	User Change
DhsComplaintDocument	2012- 10-16 12:55	Create	Document 4	Exhibit 22b.JPG	88203		User Change
DhsComplaintDocument	2012- 10-16 12:55	Create	Document 5	Exhibit 22bb.JPG	88203		User Change
DhsComplaintDocument	2012- 10-16 12:55	Create	Foreign Language	No	88203		User Change
DhsComplaintDocument	2012- 10-16 12:55	Create	Comments	Exhibits Photos	88203		User Change
DhsComplaintDocument	2012- 10-16 12:55	Create	Dateentered	10/16/2012	88203		User Change
DhsComplaintDocument	2012- 10-16 12:55	Create	Document 3	Exhibit 22aaa.JPG	88203		User Change
DhsComplaintDocument	2012- 10-16 12:55	Create	Document 1	Exhibit 22a.JPG	88203		User Change
DhsComplaintDocument	2012- 10-16 12:56	Create	Document Type	ROI	88204		User Change
DhsComplaintDocument	2012- 10-16 12:56	Create	Document 2	Exhibit 22c.JPG	88204		User Change
DhsComplaintDocument	2012- 10-16 12:56	Create	Document 4	Exhibit 22ccc.JPG	88204		User Change
DhsComplaintDocument	2012- 10-16 12:56	Create	Document 5	Exhibit 22d.JPG	88204		User Change
DhsComplaintDocument	2012- 10-16 12:56	Create	Foreign Language	No	88204		User Change
DhsComplaintDocument	2012- 10-16 12:56	Create	Dateentered	10/16/2012	88204		User Change
DhsComplaintDocument	2012- 10-16 12:56	Create	Document 3	Exhibit 22cc.JPG	88204		User Change